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Attorneys for Plaintiff
SUCCESSFACTORS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SUCCESSFACTORS, INC., a Delaware
corporation,

Plaintiff,

v.

SOFTSCAPE, INC., a Delaware
corporation; and DOES 1-10, inclusive,

Defendants.

Case No. CV 08 1376 CW (BZ)

**STIPULATION AND ORDER To FILE
AMENDED PLEADINGS**

Complaint Filed: March 11, 2008
Trial Date: June 1, 2009

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IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff SuccessFactors, Inc. and Defendant Softscape, Inc., through their respective counsel of record, that Plaintiff SuccessFactors may file an Amended or Supplemental Complaint, and that Defendant Softscape may file an Amended Answer and Counterclaim. The parties have agreed to exchange the proposed amended pleadings by October 3, 2008, which is the current deadline to file the amended pleadings. They have further agreed that they will file the amended pleadings with the Court by October 7, 2008. The parties jointly petition the Court for leave to file the amended pleadings by October 7, 2008 and further request that each side be permitted up to fifteen (15) court days to respond to the amended or supplemental pleadings. By October 7, 2008, the parties also agree to submit a stipulation to propose modifications to the existing pretrial and trial schedule.

To date, the parties have requested only one prior 30-day extension of time to amend the pleadings (*see* Dkt. No. 213), but have not otherwise sought any extensions of time for any other pretrial or trial deadlines set forth in the Case Management Order entered July 1, 2008 (*see* Dkt. No. 150).

IT IS SO STIPULATED.

Dated: October 3, 2008

FENWICK & WEST LLP

BY: /s/ Patrick E. Premo

Dated: October 3, 2008

Attorneys For Plaintiff SUCCESSFACTORS, INC.
MINTZ LEVIN COHN FERRIS GLOVSKY AND
POPEO, PC

By: /s/ Bryan Sinclair

Attorneys For Defendant SOFTSCAPE, INC.

ATTESTATION PURSUANT TO GENERAL ORDER 45

Concurrence in the filing of this document has been obtained from the other signatory.

Dated: October 3, 2008

FENWICK & WEST LLP

BY: /s/ Patrick E. Premo

Attorneys For Plaintiff SUCCESSFACTORS, INC.

FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

10/6

Dated: _____, 2008



The Honorable Claudia Wilken
United States District Court Judge

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MOUNTAIN VIEW